

JS 44 (Rev. 10/20)

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

Paw, Thay Kaw, As Administratrix of the
Estate of Bosco Htoo

(b) County of Residence of First Listed Plaintiff Philadelphia Cnty, PA
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

(See attachment)

DEFENDANTS

Aramark Uniform & Career Apparel, LLC, (see attachment)

County of Residence of First Listed Defendant _____
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF
THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

(See attachment)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff ☐ 3 Federal Question (U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input checked="" type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit (15 USC 1681 or 1692) <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding ☒ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from Another District (specify) ☐ 6 Multidistrict Litigation - Transfer ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
28 U.S.C. § 1332-1441, 28 U.S.C. 1446, 28 U.S.C. 1332

Brief description of cause:
Negligence and Strict Liability

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

September 27, 2021

FOR OFFICE USE ONLY

SIGNATURE OF ATTORNEY OF RECORD

Jaqueline Campbell

RECEIPT # AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

CIVIL CASE COVER SHEET ATTACHMENT

I. (a) DEFENDANTS (cont')

ARAMARK UNIFORM & CAREER APPAREL, LLC.; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC.; ARAMARK A/K/A ARAMARK CORPORATION; PROTECTIVE INDUSTRIAL PRODUCTS, INC.; PIP USA MANUFACTURING, INC.; WORLDWIDE PROTECTIVE PRODUCTS, LLC; US MESH, INC. A/K/A XUSM, INC.; PROCESSING SOLUTIONS, LLC; HONEYWELL INTERNATIONAL, INC.; HONEYWELL SAFETY PRODUCTS USA, INC.; JBS S.A.; JBS USA HOLDINGS, INC.; JBS USA, LLC; JBS USA FOOD COMPANY HOLDINGS; JBS USA FOOD COMPANY; ARAMARK UNIFORM SERVICES; US MESH LLC; ORION EQUIPMENT INC.; BUNZL DISTRIBUTION LEASING, INC. A/K/A BUNZL PROCESSOR DIVISION; BUNZL DISTRIBUTION USA, LLC; BUNZL USA, LLC; BUNZL RETAIL SERVICES, LLC; BUNZL DISTRIBUTION NORTHEAST, LLC; BUNZL PROCESSOR DISTRIBUTION, LLC; BUNZL NORTHEAST, LLC; BUNZL RETAIL, LLC; and HANTOVER, INC.

Additional Defendant: A-D2 Services, Inc.

I. (c) Plaintiff's Attorneys

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abugay@williamscedar.com

I. (c) Defendants' Attorneys

Defendants, Aramark a/k/a Aramark Corporation; Aramark Uniform & Career Apparel, LLC; Aramark Uniform & Career Apparel Group, Inc.; and Aramark Uniform Services were dismissed by Order dated August 26, 2021 attached hereto and as Exhibit F to the Notice of Removal.

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Attorney for Orion Equipment, Inc. a/k/a Orion American Legacy

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Attorneys for Defendant, Hantover, Inc.

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Attorneys for Additional Defendant, A-D2 Services Inc. f/k/a Orion Equipment, Inc.

THAY KAW PAW, as Administratrix of the
Estate of Bosco Htoo,

Plaintiff

v.

ARAMARK UNIFORM & CAREER APPAREL
LLC; ARAMARK UNIFORM & CAREER
APPAREL GROUP, INC. ARAMARK a/k/a
ARAMARK CORPORATION

Defendants.

Filed and Attested by the
Office of Judicial Records
15 JUN 2021 04:16 pm
G. IMPERATO

COURT OF COMMON PLEAS
OF PHILADELPHIA COUNTY

FEBRUARY 2021
NO. 210201548

CONTROL NO. AUG 26 2021

C. FORTE
CIVIL TRIAL DIVISION

ORDER

AND NOW, this 26th day of August, 2021, upon consideration of the Preliminary Objections of Defendants Aramark Uniform & Career Apparel, LLC, Aramark Uniform & Career Apparel Group, Inc., Aramark Uniform Services, and Aramark, it is hereby ORDERED and DECREED that the Aramark Defendants' Preliminary Objections to Plaintiff's Third Amended Complaint are GRANTED.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Counts I and II in the Third Amended Complaint of Plaintiff Thay Kaw Paw, as Administratrix of the Estate of Bosco Htoo, are DISMISSED WITH PREJUDICE.

BY THE COURT:

210201548-Paw Vs Aramark Uniform



21020154800173

J.

Michael E. Ender

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 2129 South 7th Street, 2nd Floor, Philadelphia, PA 19148

Address of Defendant: JBS USA Food Company, 1770 Promontory Circle, Greeley, CO 80634

Place of Accident, Incident or Transaction: 249 Allentown Road, Souderton, PA 18964

RELATED CASE, IF ANY:

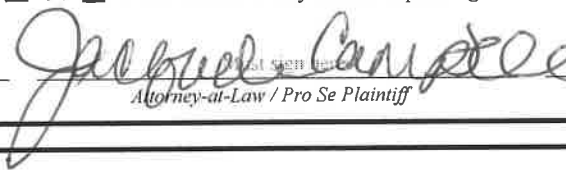
Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when *Yes* is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 09/27/2021


Attorney-at-Law / Pro Se Plaintiff

306647

Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Patent
- ☐ 6. Labor-Management Relations
- ☐ 7. Civil Rights
- ☐ 8. Habeas Corpus
- ☐ 9. Securities Act(s) Cases
- ☐ 10. Social Security Review Cases
- ☐ 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify): _____
- ☒ 7. Products Liability
- ☐ 8. Products Liability – Asbestos
- ☐ 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, _____, counsel of record or pro se plaintiff, do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:
- ☐ Relief other than monetary damages is sought.

DATE: _____ Sign here if applicable
Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DESIGNATION FORM

(to be used by counsel or pro se plaintiff to indicate the category of the case for the purpose of assignment to the appropriate calendar)

Address of Plaintiff: 2129 South 7th Street, 2nd Floor, Philadelphia, PA 19148
 Address of Defendant: JBS USA Food Company, 1770 Promontory Circle, Greeley, CO 80634
 Place of Accident, Incident or Transaction: 249 Allentown Road, Souderton, PA 18964

RELATED CASE, IF ANY:

Case Number: _____ Judge: _____ Date Terminated: _____

Civil cases are deemed related when *Yes* is answered to any of the following questions:

- | | | |
|--|------------------------------|--|
| 1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action of this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

I certify that, to my knowledge, the within case ☐ is / ☒ is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 09/27/2021

Jaqueline Campbell
 Attorney-at-Law / Pro Se Plaintiff

306647

Attorney I.D. # (if applicable)

CIVIL: (Place a ✓ in one category only)

A. Federal Question Cases:

- ☐ 1. Indemnity Contract, Marine Contract, and All Other Contracts
- ☐ 2. FELA
- ☐ 3. Jones Act-Personal Injury
- ☐ 4. Antitrust
- ☐ 5. Patent
- ☐ 6. Labor-Management Relations
- ☐ 7. Civil Rights
- ☐ 8. Habeas Corpus
- ☐ 9. Securities Act(s) Cases
- ☐ 10. Social Security Review Cases
- ☐ 11. All other Federal Question Cases
(Please specify): _____

B. Diversity Jurisdiction Cases:

- ☐ 1. Insurance Contract and Other Contracts
- ☐ 2. Airplane Personal Injury
- ☐ 3. Assault, Defamation
- ☐ 4. Marine Personal Injury
- ☐ 5. Motor Vehicle Personal Injury
- ☐ 6. Other Personal Injury (Please specify): _____
- ☒ 7. Products Liability
- ☐ 8. Products Liability – Asbestos
- ☐ 9. All other Diversity Cases
(Please specify): _____

ARBITRATION CERTIFICATION

(The effect of this certification is to remove the case from eligibility for arbitration.)

I, _____, counsel of record or pro se plaintiff, do hereby certify:

- ☐ Pursuant to Local Civil Rule 53.2, § 3(c) (2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of \$150,000.00 exclusive of interest and costs:
- ☐ Relief other than monetary damages is sought.

DATE: _____ Sign here if applicable
 Attorney-at-Law / Pro Se Plaintiff Attorney I.D. # (if applicable)

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THAY KAW PAW, As Administratrix of the
Estate of Bosco Htoo

CIVIL ACTION

vs.

NO.

ARAMARK UNIFORM & CAREER APPAREL, LLC.; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC.; ARAMARK A/K/A ARAMARK CORPORATION; PROTECTIVE INDUSTRIAL PRODUCTS, INC.; PIP USA MANUFACTURING, INC.; WORLDWIDE PROTECTIVE PRODUCTS, LLC; US MESH, INC. A/K/A XUSM, INC.; PROCESSING SOLUTIONS, LLC; HONEYWELL INTERNATIONAL, INC.; HONEYWELL SAFETY PRODUCTS USA, INC.; JBS S.A.; JBS USA HOLDINGS, INC.; JBS USA, LLC; JBS USA FOOD COMPANY HOLDINGS; JBS USA FOOD COMPANY; ARAMARK UNIFORM SERVICES; US MESH LLC; ORION EQUIPMENT INC.; BUNZL DISTRIBUTION LEASING, INC. A/K/A BUNZL PROCESSOR DIVISION; BUNZL DISTRIBUTION USA, LLC; BUNZL USA, LLC; BUNZL RETAIL SERVICES, LLC; BUNZL DISTRIBUTION NORTHEAST, LLC; BUNZL PROCESSOR DISTRIBUTION, LLC; BUNZL NORTHEAST, LLC; BUNZL RETAIL, LLC; HANTOVER, INC., *et al.*

NOTICE OF REMOVAL OF DEFENDANT, JBS USA FOOD COMPANY

Defendant, JBS USA Food Company, by and through its undersigned counsel, hereby gives notice pursuant to 28 U.S.C. §§ 1332, 1441, and 1446 of the removal of the action *Paw v. Aramark Uniform & Career Apparel, LLC, et al.* that is currently pending in the Court of Common Pleas of Philadelphia County under docket no. 210201548 to the United States District Court for the Eastern District of Pennsylvania. In support of its Notice of Removal, Defendant, JBS USA Food Company states the following:

By way of background, this is a wrongful death and survival action that was originally filed by Plaintiff, Thay Kaw Paw, as administratrix of the Estate of Bosco Htoo, in the Court of Common Pleas of Philadelphia County under docket no. 210201548. It arises from an alleged workplace accident at JBS Souderton, Inc.'s beef processing plant in Souderton, Pennsylvania on June 13, 2019. Plaintiff alleges that a knife came out of the hand of a co-worker, hit an adjacent table, and then bounced across a conveyor belt before striking Mr. Htoo in the neck, and that those injuries led to his death.

Plaintiff asserts a negligence cause of action against various JBS entities, claiming that those entities were negligently operated the plant. She asserts negligence and strict liability causes of action against various defendants she believes were involved in the manufacture, design, distribution and/or sale of the allegedly defective personal protective equipment worn by Mr. Htoo, including the butcher coat, stainless steel mesh apron, and metal mesh t-shirt.

In her initial and amended pleadings, Plaintiff named various Aramark entities as defendants. Because Plaintiff and Aramark were alleged to be citizens of Pennsylvania, there was no diversity of citizenship. However, on August 26, 2021, the Court of Common Pleas of Philadelphia County entered an Order dismissing Plaintiff's claims against the Aramark entities. It was at that point that the case first became removable, because there is diversity of citizenship between Plaintiff and the remaining defendants and the amount in controversy is met. This notice of removal was timely filed within 30 days from that Order with the unanimous consent of all defendants. Accordingly, and as more fully discussed herein, this Court has jurisdiction pursuant to 28 U.S.C. §§ 1332, and the action pending in the Court of Common Pleas of Philadelphia County under docket no. 210201548 should be removed to this Court for all further proceedings pursuant to 28 U.S.C. §§ 1441 and 1446.

A. Plaintiff's Complaints

1. Plaintiff initiated this action by filing a Complaint in the Court of Common Pleas of Philadelphia County, docketed at no. 210201548, on February 17, 2021. *See* Plaintiff's Complaint attached as **Exhibit A**.

2. In her Complaint, she named as defendants the following: Aramark Uniform & Career Apparel, LLC; Aramark Uniform & Career Apparel Group, Inc.; Aramark a/k/a Aramark Corporation; Protective Industrial Products, Inc.; PIP USA Manufacturing, Inc.; Worldwide Protective Products, LLC; US Mesh, Inc. a/k/a XUSM, Inc.; Processing Solutions, LLC; Honeywell International, Inc.; Honeywell Safety Products USA, Inc.; JBS S.A.; JBS USA Holdings, Inc.; JBS USA, LLC; JBS USA Food Company Holdings; and JBS USA Food Company (collectively referred to hereinafter as "Original Defendants"). *Id.*

3. Following preliminary objections filed by various defendants, Plaintiff filed an Amended Complaint on April 6, 2021 against the Original Defendants, as well as US Mesh LLC. *See* Plaintiff's Amended Complaint attached as **Exhibit B**.

4. Following preliminary objections filed by various defendants, Plaintiff filed a Second Amended Complaint on May 6, 2021 against the Original Defendants, as well as US Mesh LLC and six "John Doe" defendants. *See* Plaintiff's Second Amended Complaint attached as **Exhibit C**.

5. Following preliminary objections filed by various defendants, Plaintiff filed a Third Amended Complaint on June 2, 2021 against the Original Defendants, as well as US Mesh LLC; six "John Doe" defendants; Orion Equipment Inc. a/k/a Orion American Legacy; Bunzl Distribution Leasing, Inc. a/k/a Bunzl Processor Division; Bunzl Distribution USA, LLC; Bunzl USA, LLC; Bunzl Retail Services, LLC; Bunzl Distribution Northeast, LLC; Bunzl Processor

Distribution, LLC; Bunzl Northeast, LLC; Bunzl Retail, LLC; and Hantover, Inc. *See* Plaintiff's Third Amended Complaint attached as **Exhibit D**.

6. On July 26, 2021, Defendant, Orion Equipment Inc. a/k/a Orion American Legacy filed a Writ to Join A-D2 Services Inc. f/k/a Orion Equipment, Inc. as an additional defendant.

B. Service of Original Process

7. Defendants, Aramark Uniform & Career Apparel, LLC; Aramark Uniform & Career Apparel Group, Inc.; and Aramark a/k/a Aramark Corporation were served with the Complaint on February 23, 2021. *See* Court of Common Pleas of Philadelphia County Docket no. 210201548 attached as **Exhibit E**.

8. Defendant, Aramark Uniform Services, was served with the Amended Complaint on April 16, 2021. *Id.*

9. Defendants, Protective Industrial Products, Inc. and PIP USA Manufacturing, Inc., were served with the Complaint on March 9, 2021. *Id.*

10. Defendants, Worldwide Protective Products, LLC and Processing Solutions, LLC, were served with the Complaint on March 11, 2021. *Id.*

11. Defendant, US Mesh, Inc. a/k/a XUSM, Inc., was served with the Complaint on March 10, 2021. *Id.*

12. Defendants, JBS USA Holdings, Inc.; JBS USA, LLC; JBS USA Food Company Holdings; and JBS USA Food Company, were served on March 10, 2021. *Id.*

13. Defendants, Honeywell International, Inc. and Honeywell Safety Products USA, Inc., were served with the Complaint on March 10, 2021. *Id.*

14. Defendant, US Mesh LLC, was served with the Amended Complaint on April 15, 2021. *Id.*

15. Defendant, Orion Equipment, Inc., was served with the Third Amended Complaint on June 3, 2021. *Id.*

16. Defendants, Bunzl Distribution Leasing, Inc. a/k/a Bunzl Processor Division; Bunzl Distribution USA, LLC; Bunzl USA, LLC; Bunzl Retail Services, LLC; Bunzl Distribution Northeast, LLC; Bunzl Processor Distribution, LLC; Bunzl Northeast, LLC; and Bunzl Retail, LLC, were served with the Third Amended Complaint on June 3, 2021. *Id.*

17. Defendant, Hantover, Inc., was served with the Third Amended Complaint on June 3, 2021. *Id.*

18. Additional Defendant, A-D2 Inc. f/k/a Orion Equipment, Inc., was served with the Writ to Join Additional Defendant on July 29, 2021. *Id.*

19. To date, JBS S.A. has not been timely or properly served with original process.

C. Dismissal of Aramark Defendants by Order dated August 26, 2021

20. On June 15, 2021, Defendants, Aramark Uniform & Career Apparel, LLC; Aramark Uniform & Career Apparel Group, Inc.; Aramark a/k/a Aramark Corporation; and Aramark Uniform Services (collectively referred to hereinafter as “Aramark Defendants”), timely filed preliminary objections to Plaintiff’s Third Amended Complaint. *Id.*

21. On August 26, 2021, the Court of Common Pleas of Philadelphia County entered an Order sustaining the Aramark Defendants’ preliminary objections and dismissing with prejudice, Counts I and II of the Third Amended Complaint. *See* Order dated August 26, 2021 attached as **Exhibit F**.

22. Counts I and II of the Third Amended Complaint were the only two counts asserting claims against the Aramark Defendants. *See* Ex. D, *generally*, and at ¶¶ 290-330.

23. Accordingly, the Order dismissing with prejudice Counts I and II of the Third Amended Complaint effectively dismissed the Aramark Defendants and all of Plaintiff's claims against those entities.

D. This Notice of Removal is timely, because it was filed within 30 days of the Order dismissing Plaintiff's claims against the Aramark entities.

24. Pursuant to 28 U.S.C. § 1446(b)(3), "if the case stated by the initial pleading is not removable, a notice of removal may be filed within thirty days after receipt by the defendant, through service or otherwise, of a copy of an amended pleading, motion, order or other paper from which it may first be ascertained that the case is one which is or has become removable." (emphasis added); *see also Bolger v. Utermohlen*, 485 F.Supp.3d 588, 593–94 (E.D. Pa. 2020) (finding that the Court had jurisdiction after the state court's order sustaining preliminary objections severed the non-diverse defendant from the case).

25. Because Plaintiff alleges the decedent resided in Pennsylvania and the Aramark Defendants have a principal place of business in Pennsylvania, the case stated by the initial pleading and amended pleadings was not removable as the diversity of citizenship requirement was not met. *See* Ex. A, ¶¶ 7-11; Ex. B, ¶¶ 7-12; Ex. C, ¶¶ 7-12; and Ex. D, ¶¶ 7-12.

26. However, the Order dated August 26, 2021 dismissed with prejudice Plaintiff's claims against the Aramark Defendants. *See* Ex. F.

27. With the dismissal of the Aramark Defendants on August 26, 2021, there became diversity of citizenship as none of the remaining defendants are citizens of Pennsylvania.

28. As more fully discussed below, the amount in controversy requirement is met.

29. This Notice of Removal was filed with unanimous consent from the remaining defendants who have been served with original process within thirty days from the date of the Order dismissing the claims against the Aramark Defendants.

30. Accordingly, this Notice of Removal was timely filed pursuant to 28 U.S.C. § 1446.

E. There is diversity of citizenship between plaintiff and remaining defendants.

31. “The legal representative of the estate of a decedent shall be deemed to be a citizen only of the same State as the decedent...” 28 U.S.C. §1332(c)(2).

32. Plaintiff brought this action solely as the Administratrix of the Estate of Bosco Htoo and not as an individual. *See* Ex. D at p. 1 and ¶¶ 7-8.

33. According to the Letters of Administration attached as “Exhibit –A” to Plaintiff’s Complaints, **the decedent resided in Pennsylvania**. *See* Ex. A, ¶¶ 7-8; Ex. B, ¶¶ 7-8; Ex. C, ¶¶ 7-8; and Ex. D, ¶¶ 7-8.

34. Even if Plaintiff’s citizenship is considered, there is still diversity because she alleges residence in Pennsylvania. *Id.* at ¶ 7.

35. “[A] corporation shall be deemed to be a citizen of every State and foreign state by which it has been incorporated and of the State or foreign state where it has its principal place of business...” 28 U.S.C. §1332(c)(1).

36. A limited liability company’s citizenship is determined by the citizenship of its members. *Zambelli Fireworks Mfg. Co., Inc. v. Wood*, 592 F.3d 412 (3d Cir. 2010).

37. Defendant, Protective Industrial Products, Inc., is incorporated under the laws of **New York** with a principal place of business in **New York**. *See* Ex. D, ¶ 18; *see also* Consent to Removal of Defendants, Protective Industrial Products, Inc.; PIP USA Manufacturing, Inc.; Worldwide Protective Products, LLC; US Mesh, Inc. a/k/a XUSM, Inc.; Processing Solutions, LLC; and US Mesh LLC attached as **Exhibit G**.

38. Defendant, PIP USA Manufacturing, Inc., is incorporated under the laws of **New York** with a principal place of business in **New York**. *See* Ex. D, ¶ 19; Ex. G.

39. Defendant, Worldwide Protective Products, LLC, is a **New York** limited liability company with a principal place of business in **New York**. None of the members of Defendant, Worldwide Protective Products, LLC, are citizens of Pennsylvania. *See* Ex. D, ¶ 20; Ex. G.

40. Defendant, US Mesh, Inc., was incorporated under the laws of **Massachusetts** with a principal place of business in **Massachusetts**. In August 2013, US Mesh, Inc. filed an Articles of Amendment changing its name to XUSM, Inc. In December 2013, XUSM, Inc. filed Articles of Voluntary Dissolution. XUSM, Inc. was incorporated under the laws of **Massachusetts** with a principal place of business in **Massachusetts**. *See* Ex. D, ¶ 21; Ex. G.

41. Defendant, Processing Solutions, LLC, is a **North Carolina** limited liability company with a principal place of business in **New York**. None of the members of Defendant, Processing Solutions, LLC, are citizens of Pennsylvania. *See* Ex. D, ¶ 22; Ex. G.

42. Defendant, US Mesh LLC, is a **Massachusetts** limited liability company with a principal place of business in **Massachusetts**. None of the members of Defendant, US Mesh LLC, are citizens of Pennsylvania. *See* Ex. D, ¶ 23; Ex. G.

43. Defendant, Honeywell International, Inc., is a **Delaware** corporation with a principal place of business in **North Carolina**. *See* Ex. D, ¶ 31; *see also* Consent to Removal of Defendants, Honeywell International, Inc. and Honeywell Safety Products USA, Inc., attached as **Exhibit H**.

44. Defendant, Honeywell Safety Products USA, Inc., is a **Delaware** corporation with a principal place of business in **North Carolina**. *See* Ex. D, ¶ 32; Ex. H.

45. Defendant, JBS S.A., is a corporation organized under the laws of **Brazil** and maintains its principal place of business in Sao Paulo, **Brazil**. *See* Ex. D, ¶ 37; *see also* Consent to Removal of Defendants, JBS S.A.; JBS USA Holdings, Inc.; JBS USA, LLC; and JBS USA Food Company Holding, attached as **Exhibit I**.

46. Defendant, JBS USA Holdings, Inc., ceased to exist in 2015, more than four years before the alleged incident. *See* Ex. I.

47. Prior to December 2015, Defendant, JBS USA Holdings, Inc., was a **Delaware** corporation with its principal place of business in **Colorado**. *See* Ex. D, ¶ 41; Ex. I.

48. On December 23, 2015, JBS USA Holdings, Inc. was converted from a Delaware corporation to a Delaware limited liability company and then to a non-Delaware entity—JBS USA Holding Lux S.à r.l., a Luxembourg entity. *See* Ex. I.

49. Defendant, JBS USA, LLC, ceased to exist in 2015, more than four years before the alleged incident. *See* Ex. I.

50. Prior to December 2015, Defendant, JBS USA, LLC, was a **Delaware** limited liability company and with its principal place of business in **Colorado**. *See* Ex. D, ¶ 45; Ex. I.

51. On December 24, 2015, JBS USA, LLC was converted from a Delaware limited liability company to JBS USA Lux S.A., a Luxembourg company. *See* Ex. I.

52. Defendant, JBS USA Food Company Holdings, is a **Delaware** corporation with its principal place of business in **Colorado**. *See* Ex. D, ¶ 49; Ex. I.

53. Defendant, JBS USA Food Company, is a **Delaware** corporation with its principal place of business in **Colorado**. *See* Ex. D, ¶ 50.

54. Defendant, Orion Equipment, Inc. a/k/a Orion American Legacy, is a **Nebraska** corporation with a principal place of business in **Nebraska**. *See* Ex. D, ¶ 76; *see also* Consent to Removal of Defendant, Orion Equipment, Inc., attached as **Exhibit J**.

55. Defendant, Bunzl Distribution Leasing, Inc. is incorporated under the laws of **Minnesota** with its principal place of business in **Missouri**. *See* Ex. D, ¶ 80; *see also* Consent to Removal of Defendants, Bunzl Distribution Leasing, Inc. a/k/a Bunzl Processor Division; Bunzl Distribution USA, LLC; Bunzl USA, LLC; Bunzl Retail Services, LLC; Bunzl Distribution Northeast, LLC; Bunzl Processor Distribution, LLC; Bunzl Northeast, LLC; and Bunzl Retail, LLC, attached as **Exhibit K**.

56. Defendant, Bunzl Distribution USA, LLC, is a **Virginia** limited liability company with its principal place of business in **Missouri**. *See* Ex. D, ¶ 81; Ex. K.

57. Defendant, Bunzl Distribution USA, LLC's sole member is Defendant, Bunzl USA, LLC, which is a **Virginia** limited liability company with its principal place of business in **Missouri**. *See* Ex. D, ¶ 82; Ex. K.

58. Defendant, Bunzl USA, LLC's sole member is Bunzl USA Holdings, LLC, which is a **Virginia** limited liability company with its principal place of business in **Missouri**. Bunzl USA Holdings, LLC's sole member is Bunzl Holdings, Inc., which is incorporated under the laws of **Virginia** with its principal place of business in **Missouri**. *See* Ex. K.

59. Defendant, Bunzl Retail Services, LLC, is a **Virginia** limited liability company with its principal place of business in **Missouri**. Defendant, Bunzl Retail Services, LLC's sole member is Bunzl Distribution Mid Central Inc., which is incorporated under the laws of **Missouri** with its principal place of business in **Missouri**. *See* Ex. D, ¶ 83; Ex. K.

60. Defendant, Bunzl Distribution Northeast, LLC, is a **Missouri** limited liability company with its principal place of business in **Missouri**. Defendant, Bunzl Distribution Northeast, LLC's sole member is Bunzl Distribution Mid Central Inc., which is incorporated under the laws of **Missouri** with its principal place of business in **Missouri**. *See* Ex. D, ¶ 84; Ex. K.

61. Defendant, Bunzl Processor Distribution, LLC, is a **Missouri** limited liability company with its principal place of business in **Missouri**. Defendant, Bunzl Processor Distribution, LLC's sole member is Bunzl Distribution Mid Central Inc., which is incorporated under the laws of **Missouri** with its principal place of business in **Missouri**. *See* Ex. D, ¶ 85; Ex. K.

62. Defendant, Bunzl Northeast, LLC, is a **Missouri** limited liability company with its principal place of business in **Missouri**. Defendant, Bunzl Northeast, LLC's sole member is Bunzl Distribution Mid Central Inc., which is incorporated under the laws of **Missouri** with its principal place of business in **Missouri**. *See* Ex. D, ¶ 86; Ex. K.

63. Defendant, Bunzl Retail, LLC, is a **Missouri** limited liability company with its principal place of business in **Missouri**. Defendant, Bunzl Retail, LLC's sole member is Bunzl Distribution Mid Central Inc., which is incorporated under the laws of **Missouri** with its principal place of business in **Missouri**. *See* Ex. D, ¶ 87; Ex. K.

64. Defendant, Hantover, Inc., is a **Missouri** corporation with a principal place of business in **Kansas**. *See* Ex. D, ¶ 91; Ex. L.

65. Additional Defendant, A-D2 Services, Inc., is a **Nebraska** corporation with a principal place of business located in **Nebraska**. *See* Consent for Removal of Additional Defendant, A-D2 Services, Inc., attached as **Exhibit M**.

F. The amount in controversy is met.

66. Plaintiff alleges that a knife slipped out of a co-worker's hand, hit an adjacent cutting table, and then bounced across a conveyor belt before striking Mr. Htoo in the neck at approximately 6:30 a.m. on June 13, 2019. *See* Ex. D, ¶ 269.

67. She alleges that Mr. Htoo died from his injuries at 7:31 a.m. that morning. *Id.* at ¶ 280.

68. Plaintiff further alleges that Mr. Htoo suffered conscious pain and suffering, fear of impending death, permanent loss of earnings and earning capacity, loss of enjoyment of life, loss of life's pleasures, and loss of life's hedonic pleasures. *Id.* at ¶¶ 282-285.

69. Mr. Htoo, was allegedly 33 years old at the time of his death and survived by his wife and daughter. *Id.* at ¶¶ 1037, 1044.

70. Plaintiff's Complaint seeks damages for medical expenses, funeral expenses, estate expense, all recoverable damages under Pennsylvania's Wrongful Death Act, 42 Pa.C.S.A. § 8301, and all recoverable damages in a survival action pursuant to 42 Pa.C.S.A. § 8302. *Id.* at ¶¶ 1038-1040; 1048.

71. The *ad damnum* clauses of Plaintiff's Complaint seek damages in excess of the state arbitration limits of \$50,000.00. *See* Ex. D.

72. Plaintiff filed this case as a "major jury" case in the state action, which provides for unlimited recovery.

G. Plea for Removal

73. This Court's jurisdiction is based upon diversity of citizenship under 28 U.S.C. §1332 insofar as "the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between....citizens of different States." 28 U.S.C. §1332(a)(1).

74. A “notice of removal may assert the amount in controversy if the initial pleading seeks...a monetary judgment, but the state practice either does not permit demand for a specific sum or permits recovery of damages in excess of the amount demanded.” 28 U.S.C. §1446(c)(2).

75. “The amount in controversy is not measured by the low end of an open-ended claim, but rather by a reasonable reading of the value of the rights being litigated.” *Werwinski v. Ford Motor Co.*, 286 F.3d. 661, 666 (3d. Cir. 2002).

76. “[A]ny civil action brought in a State court of which the district courts of the United States have original jurisdiction, may be removed by the defendant . . . to the district court of the United States for the district and division embracing the place where such action is pending.” 28 U.S.C. §1441(a).

77. As Plaintiff is deemed to be a citizen of Pennsylvania and none of the remaining defendants are citizens of Pennsylvania, there is diversity of citizenship pursuant to 28 U.S.C. §1332.

78. Based on the allegations in Plaintiff’s Third Amended Complaint, “any reasonable reading of the value of the rights being litigated in this matter” leads to the conclusion that the amount in controversy exceeds the jurisdictional limit of \$75,000.00.

79. All defendants who have been properly joined and served join in or consent to the removal of this action in accordance with 28 U.S.C. §1446(b)(2)(A). *See* Ex. G, H, I, J, K, M, which are attached hereto and incorporated by reference.

80. Defendant, Hantover, Inc., disputes that it has been properly joined in the state court action and has pending preliminary objections challenging same; however, it nonetheless consents to the removal of this action without waiver of its right to challenge joinder. *See* Ex. E; Ex. L.

81. This notice of removal is being filed within thirty days after receipt of an Order from which it could be first ascertained that the case became removable; therefore, it is timely pursuant to 28 U.S.C. §1446(b)(3); *see also Bolger v. Utermohlen*, 485 F.Supp.3d 588, 593–94 (E.D. Pa. 2020).

82. Since the Court of Common Pleas of Philadelphia County is located within the Eastern District of Pennsylvania, removal of this case to the United States District Court for the Eastern District of Pennsylvania is proper because it is the “district and division embracing the place where such action is pending.” 28 U.S.C. §1441(a).

83. Written notice that this Notice of Removal is being filed with this Court is being given to all parties and to the Court of Common Pleas of Philadelphia County.

84. As there is complete diversity of citizenship, the amount in controversy is in excess of \$75,000.00, and the procedural requirements for removal have been met, this Court has jurisdiction over this action pursuant to 28 U.S.C. § 1332 and removal is proper pursuant to 28 U.S.C. §§ 1441 and 1446.

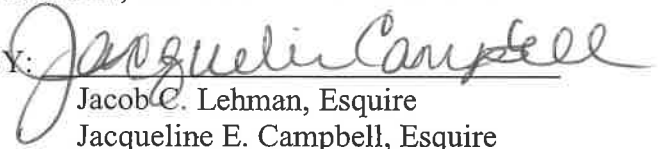
WHEREFORE, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant, JBS USA Food Company, respectfully requests that this case, *Paw v. Aramark Uniform & Career Apparel, LLC, et al.*, that is currently pending in the Court of Common Pleas of Philadelphia County under docket no. 210201548, be removed to the United States District Court for the Eastern District of Pennsylvania for all further proceedings.

Respectfully submitted,

GERMAN, GALLAGHER & MURTAGH

Date: September 27, 2021

BY:



Jacob C. Lehman, Esquire

Jacqueline E. Campbell, Esquire

Attorneys for Defendant,

JBS USA Food Company

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campbellj@ggmfirm.com

THAY KAW PAW, As Administratrix of the
Estate of Bosco Htoo

vs.

ARAMARK UNIFORM & CAREER APPAREL,
LLC.; ARAMARK UNIFORM & CAREER
APPAREL GROUP, INC.; ARAMARK A/K/A
ARAMARK CORPORATION; PROTECTIVE
INDUSTRIAL PRODUCTS, INC.; PIP USA
MANUFACTURING, INC.; WORLDWIDE
PROTECTIVE PRODUCTS, LLC; US MESH,
INC. A/K/A XUSM, INC.; PROCESSING
SOLUTIONS, LLC; HONEYWELL
INTERNATIONAL, INC.; HONEYWELL
SAFETY PRODUCTS USA, INC.; JBS S.A.; JBS
USA HOLDINGS, INC.; JBS USA, LLC; JBS
USA FOOD COMPANY HOLDINGS; JBS USA
FOOD COMPANY; ARAMARK UNIFORM
SERVICES; US MESH LLC; ORION
EQUIPMENT INC.; BUNZL DISTRIBUTION
LEASING, INC. A/K/A BUNZL PROCESSOR
DIVISION; BUNZL DISTRIBUTION USA, LLC;
BUNZL USA, LLC; BUNZL RETAIL SERVICES,
LLC; BUNZL DISTRIBUTION NORTHEAST,
LLC; BUNZL PROCESSOR DISTRIBUTION,
LLC; BUNZL NORTHEAST, LLC; BUNZL
RETAIL, LLC; HANTOVER, INC., *et al.*

COURT OF COMMON PLEAS OF
PHILADELPHIA COUNTY

February Term, 2021

No. 1548

**DEFENDANT, JBS USA FOOD COMPANY'S
NOTICE OF FILING NOTICE OF REMOVAL**

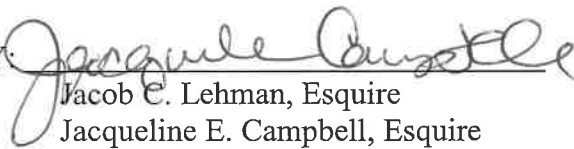
TO: PLAINTIFF, THAY KAW PAW,
As Administratrix of the Estate of Bosco Htoo
c/o Plaintiff's counsel, Richard K. Washington, Jr., Esquire
Via Electronic Filing

Please take notice that Defendant, JBS USA Food Company, by and through its undersigned counsel, has filed a Notice in the United States District Court for the Eastern District of Pennsylvania for removal pursuant to 28 U.S.C. §§ 1332, 1441, and 1446 of the above-captioned civil action now pending in the Court of Common Pleas of Philadelphia County at docket no. 210201548.

This case qualifies for removal under federal diversity jurisdiction pursuant to the aforesaid statutes because all parties to this action are citizens of different states and the amount in controversy exceeds \$75,000.00. In accordance with 28 U.S.C. § 1446, a true and correct copy of the Notice of Removal is attached hereto and thus, filed of record with this Court.

GERMAN, GALLAGHER & MURTAGH

Date: September 27, 2021

BY: 

Jacob C. Lehman, Esquire
Jacqueline E. Campbell, Esquire
Attorneys for Defendant,
JBS USA Food Company
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campbellj@ggmfirm.com

THAY KAW PAW, As Administratrix of the
Estate of Bosco Htoo

vs.

ARAMARK UNIFORM & CAREER APPAREL, LLC.; ARAMARK UNIFORM & CAREER APPAREL GROUP, INC.; ARAMARK A/K/A ARAMARK CORPORATION; PROTECTIVE INDUSTRIAL PRODUCTS, INC.; PIP USA MANUFACTURING, INC.; WORLDWIDE PROTECTIVE PRODUCTS, LLC; US MESH, INC. A/K/A XUSM, INC.; PROCESSING SOLUTIONS, LLC; HONEYWELL INTERNATIONAL, INC.; HONEYWELL SAFETY PRODUCTS USA, INC.; JBS S.A.; JBS USA HOLDINGS, INC.; JBS USA, LLC; JBS USA FOOD COMPANY HOLDINGS; JBS USA FOOD COMPANY; ARAMARK UNIFORM SERVICES; US MESH LLC; ORION EQUIPMENT INC.; BUNZL DISTRIBUTION LEASING, INC. A/K/A BUNZL PROCESSOR DIVISION; BUNZL DISTRIBUTION USA, LLC; BUNZL USA, LLC; BUNZL RETAIL SERVICES, LLC; BUNZL DISTRIBUTION NORTHEAST, LLC; BUNZL PROCESSOR DISTRIBUTION, LLC; BUNZL NORTHEAST, LLC; BUNZL RETAIL, LLC; HANTOVER, INC., *et al.*

COURT OF COMMON PLEAS OF
PHILADELPHIA COUNTY

February Term, 2021

No. 1548

**DEFENDANT, JBS USA FOOD COMPANY'S
NOTICE OF FILING NOTICE OF REMOVAL**

TO: OFFICE OF JUDICIAL RECORDS
City Hall, Room 284
Philadelphia, PA 19107
Via Electronic Filing

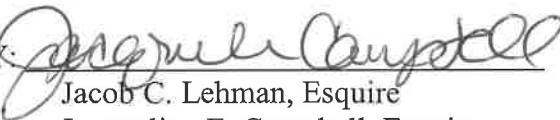
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This case qualifies for removal under federal diversity jurisdiction pursuant to the aforesaid statutes because all parties to this action are citizens of different states and the amount in controversy exceeds \$75,000.00. In accordance with 28 U.S.C. § 1446, a true and correct copy of the Notice of Removal is attached hereto and thus, filed of record with this Court.

GERMAN, GALLAGHER & MURTAGH

Date: September 27, 2021

BY:



Jacob C. Lehman, Esquire

Jacqueline E. Campbell, Esquire

Attorneys for Defendant,

JBS USA Food Company

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campbellj@ggmfirm.com

CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the foregoing documents were served upon all counsel of record via electronic filing on this date. The undersigned certifies that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

GERMAN, GALLAGHER & MURTAGH

Date: September 27, 2021

BY: /s/ Jacqueline E. Campbell, Esquire

Jacob C. Lehman, Esquire
Jacqueline E. Campbell, Esquire
Attorneys for Defendant,
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